



Public access to federally funded scholarly publications

Comments submitted to the Office of Science and Technology Request for Information
January 12, 2012

To Whom It May Concern:

I'm writing today on behalf of the more than 100 organizations that comprise the Alliance for Taxpayer Access (ATA), in response to the Office of Science and Technology Policy's Request for Information (RFI) dated November 3, 2011, seeking input on the issue of Public Access to Scholarly Publications Resulting from Federally Funded Research.

About the Alliance

The Alliance for Taxpayer Access (ATA) is a coalition of advocacy, academic, research, and publishing organizations that supports open public access to the results of federally funded research. The Alliance was formed in 2004 to urge that peer-reviewed articles stemming from taxpayer-funded research become fully accessible and available online at no additional cost to the American public.

The diverse members of the coalition are committed to the general principle that American taxpayers are entitled to open access on the Internet to the articles that result from research funded by the U.S. government, and that facilitating broad access to these articles is an essential, inseparable part of our nation's investment in science. ATA members firmly believe that this (and other scientific information) should be shared in cost-effective ways that take advantage of the Internet, stimulate further discovery and innovation, and advance the translation of this knowledge into public benefits. Enhanced access and expanded sharing of information will lead to increased use of this information, and will deliver an accelerated return on the taxpayers' investment.

As 41 Nobel Prize-winning scientists wrote in an open letter to the U.S. Congress:

“For America to obtain an optimal return on our investment in science, publicly funded research must be shared as broadly as possible... As the pursuit of science is increasingly conducted in a digital world, we need policies that ensure that the opportunities the Internet presents for new research tools and techniques to be employed can be fully exploited. The removal of access barriers and the enabling of expanded use of research findings has the potential to dramatically transform how we approach issues of vital importance to the public, such as biomedicine, climate change, and energy research.”

http://www.taxpayeraccess.org/supporters/scientists/nobelists_2009.shtml

We thank the Office of Science and Technology Policy for organizing this important discussion. The Alliance shares the Administration's view that enhancing access to this information will promote advances in science and technology, encourage innovative use and application of government-supported research, and fuel commercial development and economic growth.

The Alliance supports the implementation of government-wide public access policies to facilitate the sharing of scientific results, and make this level of access a reality. To maximize the taxpayer's return on our nation's investment, such a policy should ensure that all members of the public are able to immediately access and fully reuse digital articles reporting on the results.

The Alliance supports building on the successful framework of the NIH Public Access Policy, and recommends that an expanded policy include the following components:

- ***Public access to the published results of federally funded research should be a mandatory requirement across all agencies.*** As the experience of the NIH has shown, a voluntary policy is not enough. The NIH saw less than 5% of eligible authors deposit their manuscripts under a voluntary policy. However, after the policy was made mandatory in April 2008, the percentage manuscripts deposited quickly rose to over 60%, and has continued to rise steadily since then.
- ***Articles that result from federal funding should be made freely accessible to the public immediately upon publication.*** The Alliance feels strongly that immediate access optimizes benefits from this research to the public. However, we recognize that this may not be practical in every discipline. We support the inclusion of an author-determined embargo period of up to six months as an acceptable compromise.
- ***Articles should be housed in permanent, interoperable digital archives.*** The results of federally funded research should be archived permanently, in interoperable repositories (maintained or approved by the agency) that allow this critical layer of information to be freely linked to the wealth of other publicly accessible databases.
- ***Access may be either to the author's final manuscript or to the final published version.*** The requirement for deposit of the author's raw final manuscript, rather than the final published article, makes it possible to also monetize value-added enhancements beyond what is available in the public repositories. Where the publisher allows, access to the final published version is also desirable. Where the publisher allows, access to the final published version is also desirable.
- ***The reuse rights associated with articles should be clearly articulated, and should ensure that articles can be both read and fully used.*** The Alliance supports ensuring this through the use of a license that works within the current copyright system and at most requires attribution to the author, such as the Creative Commons Attribution (CC BY) license.
- ***Articles should be presented to the public in a standard digital format that allows them to be fully read and used.*** The Alliance supports XML as the preferred standard. While we support the additional inclusion of PDF files, PDF alone is not an acceptable format, as it does not support robust enough linking and searching.

• ***Implementation should be closely coordinated across all agencies to ensure seamless compliance.*** The Alliance strongly believes that public access policies must be as closely coordinated across agencies as possible, and that multiple policies with multiple implementation requirements would result in unnecessary overhead and costs.

Our responses to the specific questions in the RFI follow below.

1. Are there steps that agencies could take to grow existing and new markets related to the access and analysis of peer-reviewed publications that result from federally funded scientific research? How can policies for archiving publications and making them publicly accessible be used to grow the economy and improve the productivity of the scientific enterprise? What are the relative costs and benefits of such policies? What type of access to these publications is required to maximize U.S. economic growth and improve the productivity of the American scientific enterprise?

Encouraging Commercialization

Articles reporting on the results of taxpayer-funded research are an important component of our nation's research output. To create the optimal environment to encourage such commercialization, the complete collection of full-text articles reporting on publicly funded research should be made immediately, freely available to the public¹. Members of the public must also be ensured the rights to fully use these articles without commercial restriction.

Enabling Open Access² to these articles will accelerate the ability of individuals and companies to construct new services and products, and ensure that the value of the public's investment in this research is fully realized. It will create a business climate where all stakeholders can apply ideas generated from this research more quickly, speeding the launch of new products, services and new markets.

The publishing industry is well-positioned to be among the primary beneficiaries of opening access to articles reporting on publicly funded research results. Creating a body of articles openly available to the public creates the opportunity for individuals and companies to add value to the research through the creation of new tools and services for searching, text mining, data mining, indexing, translation, and other services. These new services create the opportunity for new jobs (and new tax revenue) to be generated – directly stimulating both innovation and economic growth.

This kind of business development is already happening in areas where a significant number of open-access articles exist. Companies such as Mendeley, which offers integrated academic search and peer recommendations built on a collection of open-access papers, are rapidly achieving success, with Mendeley boasting a user base of over one million individuals in just two years of operation³.

¹ It is important to note that the full text of peer-reviewed articles must be made accessible -- not merely abstracts, summaries, or un-peer reviewed grant reports -- for the full value of these articles to be leveraged by the public.

² <http://www.soros.org/openaccess/read>

³ <http://www.mendeley.com/our-users/>

Additionally, a robust new market of open-access journals -- journals that make their content freely available to all users, with no restrictions for reuse other than appropriate attribution to the author -- is also flourishing. More than 7,300 open-access journals are currently being published in a broad spectrum of disciplines.⁴ Innovative companies, such as the U.S.-based Public Library of Science (a member of the Alliance for Taxpayer Access), have lead the way in demonstrating the financial viability -- and desirability -- of this new publishing model. The growth of this new market segment has been so dramatic that a new trade association, the Open Access Scholarly Publishers Association (OASPA) has now been established to help promote its further development⁵.

While creating new markets and business models in the publishing industry is one important outcome of a public-access policy, it is important to remember that it is part of a larger goal: to encourage the use of publicly funded research to spur increased commercialization in other business sectors. Creating a government-wide policy that results in an openly accessible database (or set of databases) of publicly funded articles will provide opportunities for companies of all kinds to build on this information. This is particularly true for industries such as biotechnology and the pharmaceutical industry, where the ability to interact with leading-edge research results is part of the lifeblood of the company. They (and their investors) count on these resources to be able to deploy a research and development strategy that keeps them on the cutting edge of new ideas and knowledge, so that they can translate these ideas quickly into marketable products and services.

Improving Scientific Productivity

Besides providing an environment in which commercialization can be optimized, ensuring full open access to articles reporting on the results of taxpayer funded research can also play an important role in improving scientific productivity. The research community has long recognized the opportunity that providing immediate, barrier-free, online access presents to researchers to work **faster**, by enabling them to get to research articles and incorporate new findings into their research more rapidly. In biomedical disciplines, for example, the need to rapidly collect, evaluate and understand the work of colleagues is readily apparent. Taxpayers fund basic biomedical research with the expectations that it will lead to new discoveries, and ultimately, to new treatments and cures. Expediting this process is directly in the best interest of the taxpayer.

Ensuring open access to scientific articles can also help scientists to incorporate **more** information into their work more efficiently. With the continued increase in papers generated from scientific research, enabling an open-access environment where computers can serve as a new category of reader of publicly funded research papers is essential.

In biomedicine alone there are currently more than 19 million citations and abstracts covered by the National Library of Medicine's search engine, PubMed. These include ~830,000 articles published in 2009, up from 814,000 in 2008 and 772,000 in 2007.⁶ The growth rate gives no indications of slowing, particularly as emerging economies like India, China and Brazil continue

⁴ <http://www.doaj.org>

⁵ <http://www.oaspa.org/>

⁶ <http://www.nature.com/news/2010/100127/full/463416a.html>

to accelerate their research outputs. Researchers need to be able to employ new semantic and computational tools to contextualize ideas contained in papers, identify new relationships, and significantly expand the breadth of research threads that they can effectively pursue.

A government-wide policy that facilitates the creation of an open-access environment will also allow – and encourage -- more people to participate in the scientific research process at many levels. Researchers in a variety of disciplines are already using open-access environments (for both data and publications) to help them expand their pool of collaborators in specific research areas, as well as to help create new pathways to solutions.

In Alzheimer's research, experts (led by Neil Buckholtz, chief of the Dementias of Aging Branch of the Division of Neuroscience at the U.S. National Institute on Aging, and Dr. William Potter, a neuroscientist at Eli Lilly) established the Alzheimer's Disease Neuroimaging Initiative (ADNI), a novel, public-private collaboration that posts all of its data on Alzheimer's on an open public Web site. ADNI has made thousands of brain scan images and clinical and neuropsychological data available to researchers around the world, and has generated a wealth of new research papers, as well as more than 100 new studies testing drugs that may slow or stop the disease.⁷ The ADNI model is already being replicated other areas, most notably in Parkinson's disease research.⁸

Along with increasing the sheer number of participants, an open-access research environment also increases the diversity of participants in the research process. It helps to promote access and reuse of information by researchers in loosely related (or even unrelated) fields that might not otherwise have access to the full corpus of research articles. This increases the value of our scientific research investment, by increasing the efficacy of scientific discovery. In the Autism community, Sophia Colamarino (Stanford University Medical School, and former Vice President for Research at Autism Speaks, also an Alliance member organization) has spoken eloquently from the patient advocacy and researcher funding perspectives. She notes that, because there is no routine treatment for Autism, families are routinely responsible for learning about therapies and treatments that may be appropriate for them.

Her experience has shown that while families are inundated with information from a variety of sources, what is most easily available may not always be credible. Because of the barriers that subscription and pay-per-view pay walls present, families have easy access to all but the most scientifically valid information.⁹ Providing immediate, barrier-free access to articles that report on the results of taxpayer-funded research access empowers family members and caregivers to be better, more informed advocates, and gives them a positive outlet by allowing them to participate in progress first hand. Barriers to accessing published research literature cause families to struggle – unnecessarily – to find the most rigorous data necessary to make informed decisions.

⁷ <http://www.nytimes.com/2010/08/13/health/research/13alzheimer.html>

⁸ http://www.michaeljfox.org/living_PPMI.cfm

⁹ <http://www.berlin9.org/bm~doc/berlin9-colamarino.pdf>

Costs and Benefits

Costs

The potential costs and benefits of taxpayer access to publicly funded research articles are of deep interest to the Alliance. Many helpful sources of data are available to draw on -- in particular, the data provided by the National Institutes of Health (NIH), whose successful public-access policy already ensures full accessibility to articles reporting on the results of the ~\$30 billion of basic and applied research that it funds annually.

This policy, which covers approximately one half of the total U.S. annual investment in scientific research, has proven to be extremely cost-effective. NIH reports that it costs \$3.5- \$4.6 million annually (on a total \$30-billion budget) to administer its public-access policy. This represents an investment of only about 1/100th of one percent of the NIH's overall \$30 billion operating budget to ensure that the 90,000-95,000 articles generated annually to report on NIH-funded research are readily accessible to all potential users.¹⁰

The NIH also reports a deep demand for these articles, with more than 500,000 unique users from all sectors of the public accessing the PubMed Central database each day to view and retrieve articles.¹¹ Many of these users are members of the 100+ organizations represented by the Alliance. An effective, government-wide public-access policy can likewise be implemented in a cost-effective manner, by leveraging this existing infrastructure to minimize unneeded duplication of efforts, and utilizing the investments already made by the NIH.

Benefits

Significant economic research has been done, in the U.S. as well as internationally, on cost-benefit analyses of various policy approaches to ensuring greater access to articles reporting on the results of publicly funded research. Detailed economic analyses have been conducted on proposed national policies in Australia, the U.K., the Netherlands and elsewhere, providing sound methodologies for policy makers to use in considering the potential impact of such policies. These studies have consistently demonstrated that the adoption of policies to encourage the open sharing of research results – including scientific articles – has a significant economic upside for national economies.¹²

Perhaps most germane for the purposes of this RFI is the 2010 study conducted by Houghton et al., examining the potential impacts of opening up access to articles reporting on the results of all U.S. federally funded scientific research, under a policy similar to that of the current NIH Public Access Policy. Houghton and his colleagues examined both the costs and potential returns to the public investment in R&D, and provide a working model to be used for further testing and refining estimates as additional data becomes available.¹³

¹⁰ <http://www.hhs.gov/asl/testify/2010/07/t20100729c.html>

¹¹ <http://olpa.od.nih.gov/hearings/111/session2/Testimonies/PublicAccess.pdf>

¹² <http://www.cfses.com/projects/Easi-OA.htm>

¹³ Economic and Social Returns on Investment in Open Archiving Publicly Funded Research Outputs, Houghton et al. (2010)

The initial Houghton et al. modeling suggests that providing open access to all articles reporting on U.S. scientific research under a model similar to the current NIH policy would (very conservatively) result in at least a five-fold increase in ROI, with the benefits of the policy estimated to be approximately 8 times larger than the costs. They further estimate that the net present value gains of expanding an NIH-style policy to all other U.S. science agencies over time would be on the order of \$1.5 billion (net the costs of running the archive). Of that number, approximately 60% is estimated to accrue directly to the U.S. economy.¹⁴ The Alliance for Taxpayer Access is strongly supportive of a policy that pursues such an approach.

2. What specific steps can be taken to protect the intellectual property interests of publishers, scientists, federal agencies, and other stakeholders involved with the publication and dissemination of peer-reviewed scholarly publications resulting from federally funded scientific research?

To best support the goals of accelerating scientific discovery, innovation and the creation of new markets, any public-access policy should ensure not only full *accessibility* of scientific articles, but also full *utility* of the articles in the digital environment.

The Alliance supports the creation of a government-wide public-access policy that works within the current copyright framework by requiring full open access to articles reporting on the results of federally funded research under a mechanism such as the Creative Commons Attribution (CC BY)¹⁵ license. This kind of an approach is consistent with protecting the copyrights of both authors and publishers.

While the NIH Public Access Policy provides an excellent benchmark for most aspects of government-wide policy, it can be substantially improved upon in the area of rights retention. The Department of Labor's Trade Adjustment Assistance Community College and Career Training (TAACCCT)¹⁶ grant program provides a more appropriate exemplar. The TAACCCT program requires that grant recipients license content created from grant funds under a Creative Commons Attribution (CC-BY) license. This framework ensures broad access and reuse for anyone wishing to utilize this federally funded research output, while also ensuring that proper credit is given to the author.¹⁷

Additionally, taxpayers also need access to these articles sooner than the current term of copyright allows. Ideally, articles reporting on the results of publicly funded research should be made accessible to the public immediately upon appearance in a journal. However, an initial interim, phased approach might prove a practical way forward. This type of approach might be constructed to include:

¹⁴ Op. cit.

¹⁵ <http://creativecommons.org/licenses/by/3.0/>

¹⁶ <http://www.doleta.gov/grants/pdf/SGA-DFA-PY-10-03.pdf>

¹⁷ <http://epsiplatform.eu/content/topic-report-no-23-creative-commons-and-public-sector-information-flexible-tools-support-psi>

- First, providing an appropriate period of embargoed access (no longer than 12 months) where current rights appropriate under copyright apply;
- Second, after the expiration of the embargo period, full reuse rights under an appropriate license such as CC-BY apply.

It should be the explicit goal of any government-wide public-access policy to make the results of federally funded research as useful to taxpayers as possible. Broad reuse allows both researchers and businesses to unlock additional value from our public research investment – now, and for decades to come. Restrictions that limit how users can work with these digital articles will result in only a fraction of their value being delivered, and unnecessarily reduce the subsequent return to the taxpayer.

3. What are the pros and cons of centralized and decentralized approaches to managing public access to peer-reviewed scholarly publications that result from federally funded research in terms of interoperability, search, development of analytic tools, and other scientific and commercial opportunities?

The federal government is the appropriate entity to provide permanent stewardship of these articles, and is in a unique position to ensure that publicly funded articles are made permanently accessible, and useable. To ensure this, any public-access policy that is developed must give the federal government adequate rights to archive and distribute articles reporting on publicly funded research. Currently, the National Library of Medicine (NLM) appropriately fulfills this crucial role for articles generated by NIH-funded research by housing articles in their PubMed Central (PMC) digital repository.

NLM has indicated¹⁸ that they are willing to expand their role and accept articles from any other federal science agency, providing an immediate, cost-effective potential solution to taxpayers. Alternatively, NLM has also indicated that the software supporting PubMed Central is freely available in the public domain, and was explicitly designed in a modular form to be easily shared with other entities that might wish to use it. This option provides another cost-effective mechanism that ensures the interoperability of multiple federal agency archives.

This type of approach does not preclude other, non-governmental entities from participating as partners in a decentralized approach. An effective federal public-access policy could involve multiple repositories maintained by third parties, as long as those repositories support access and use conditions that allow all interested parties to build on the content contained in them. Repositories that meet conditions for public accessibility, unrestricted use rights, interoperability and long-term preservation of articles can play an important role, encouraging innovative public-private partnerships.

Having the federal government retain custody of a master copy of these articles is critical in minimizing the possibility of exclusive arrangement that inhibit the ability the widest possible

¹⁸ <http://olpa.od.nih.gov/hearings/111/session2/Testimonies/PublicAccess.pdf>

community of stakeholders and businesses to use these articles, and ensure that new services and products can be readily built from them, enhancing the taxpayer's return on their investment.

4. Are there models or new ideas for public-private partnerships that take advantage of existing publisher archives and encourage innovation in accessibility and interoperability, while ensuring long-term stewardship of the results of federally funded research?

Public-private partnerships can play an important role in leveraging the unique capabilities of a broad range of potential service providers, and create opportunities for the development of new products and services to built on publicly funded information. A key aim of the America COMPETES Act (whose goals this RFI has been issued to facilitate achieving) is to improve the competitiveness of the United States through investment in research and development. As such, it is critical that any public-private partnerships be constructed to ensure that all potential service providers have an equal opportunity to participate. The Alliance firmly believes that under no condition should any one site, organization or company be the single point of access for taxpayer-funded articles.

This is particularly important as it relates to small businesses that may experience difficulty with entering markets given access conditions or restrictive copyright/reuse provisions. Constructing a partnership that unfairly advantages a limited number of participants will result in a less competitive environment, rather than facilitating the kind of environment that encourages robust participation by all stakeholders.

The Alliance notes that the publishing community is only one stakeholder group whose interests must be considered in this context. The federal government should also carefully consider the other potential partners, particularly libraries, archives, and higher education institutions. These organizations have experience in access to (and preservation of) information, and also have a wealth of experience and existing infrastructure that can be leveraged. Developing a public-access policy that includes roles for these kinds of organizations would greatly increase prospects for the viability and long-term sustainability of such partnerships.

5. What steps can be taken by federal agencies, publishers, and/or scholarly and professional societies to encourage interoperable search, discovery, and analysis capacity across disciplines and archives? What are the minimum core metadata for scholarly publications that must be made available to the public to allow such capabilities? How should federal agencies make certain that such minimum core metadata associated with peer-reviewed publications resulting from federally funded scientific research are publicly available to ensure that these publications can be easily found and linked to federal science funding?

Metadata enables the interoperability, search, discovery and analysis of articles reporting on federally funded research, and should also be used enable specific actions that can be taken on digital articles, as well. To be as useful as possible, metadata associated with federally funded

articles must be both machine-readable and machine-interoperable, and should facilitate the robust use, reuse and analysis of digital articles.

The Alliance recommends working closely with experts in the university library and digital repository communities, as well as other expert organizations to build out a minimum core set of metadata. While we understand that Dublin Core is the current standard in this regard, we also understand that this will only enable the minimum amount of discovery and download to take place. Broader metadata specifications are needed to make full use of the information contained in federally funded articles and to active the aims of the federal government of improving scientific productivity and accelerating commercialization.

To maximize the value of this information, additional metadata is needed to also facilitate archiving and preservation, and to encourage the development of new services (such as text mining, visualizations, etc.). It is important to ensure that any metadata standard or framework not only meets current needs, but is also flexible and extensible enough to support potential future uses. This is particularly critical to ensure that connections between articles and digital data can be supported.

Close consultation with established entities that are working on standards and best practices in this area, such as NISO and the Library of Congress, will also be helpful and should be actively pursued.

6. How can Federal agencies that fund science maximize the benefit of public access policies to U.S. taxpayers, and their investment in the peer-reviewed literature, while minimizing burden and costs for stakeholders, including awardee institutions, scientists, publishers, Federal agencies, and libraries?

The benefit of public-access policies to U.S. taxpayers can be maximized by making the complete collection of full-text articles reporting on federally funded scientific research immediately, freely accessible to the public. Taxpayers also must be guaranteed rights to fully use these articles without commercial restriction. The federal government should provide long-term stewardship over the repositories that house these articles, in partnership with organizations such as libraries and archives. Access conditions and reuse rights that at most require author attribution (Creative Commons Attribution CC-BY license or similar) must also be clearly articulated, to enhance scientific productivity and encourage the full range of potential stakeholders to build secondary services and generate new products and markets from this content.

For any public-access policy to be successful, there must be consistency of requirements and of implementation across all federal agencies. Creating multiple, disparate access policies – or even compliance requirements – for different federal science agencies would introduce needless confusion and expense into the system, and greatly increase the compliance burden on the grantee and their home institution.

Uniform requirements and procedures regarding deposit of peer-reviewed articles should be established across all federal agencies covered by a public-access policy to reduce the cost and complexity of compliance.

Effective implementation strategies that minimize the burden on the researcher can also play an important role in maximizing the returns to the taxpayer, by raising compliance rates and ensuring that the complete corpus of articles reporting on federally funded research is widely available in a timely manner. This will have the added benefit of supporting informed, transparent, science-based federal budget and policy decision making by increasing federal agency accountability and providing agencies with an improved accounting on the outcomes of their funded research. It will also give Congressional budget drafters, appropriators, and authorizers better information to accurately assess the value of existing expenditures, and to target funding on the most promising research areas.

Any federal public-access policy should also be constructed in a way that encourages the development of additional tools and services to facilitate both the work of the researcher, and the federal agency. Encouraging the integration of articles with agency (and home institution) grant management systems is an important potential way to improve agency accountability, as well as to provide increased information to the public on the results of the research that their tax dollars support.

An effective public-access policy centered on creating accessible databases of research articles can also create opportunities to build productivity management tools – like enhanced bibliographies or Principle Investigator (PI) Profiles – that are of wide use to researchers, institutions, and federal agencies, further leveraging the value of the taxpayers investment in scientific research.

7. Besides scholarly journal articles, should other types of peer-reviewed publications resulting from federally funded research, such as book chapters and conference proceedings, be covered by these public access policies?

The Alliance for Taxpayer Access firmly believes in the that principle that taxpayers have the right to the results of publicly funded research – and that this right applies to **all** outputs of research, from data and articles, to educational materials (book chapters, texts, conference proceedings, etc). We believe that these outputs resulting from publicly funded research should also be made readily accessible to the public.

However, we recognize that different conditions and expectations apply to different types of outputs. For example, authors are not paid for journal articles, but may in fact be compensated for the creation of book chapters. Data sets may contain confidential or personal information that may not be appropriate for unrestricted access or reuse. Access policies that reflect these differences while holding true to the basic principle of public access may need to be constructed.

8. What is the appropriate embargo period after publication before the public is granted free access to the full content of peer-reviewed scholarly publications resulting from federally funded research? Please describe the empirical basis for the recommended embargo period. Analyses that weigh public and private benefits and account for external market factors, such as competition, price changes, library budgets, and other factors, will be particularly useful. Are there evidence-based arguments that can be made that the delay period should be different for specific disciplines or types of publications?

To optimize their scientific and commercial utility, articles reporting on the results of federally funded research should be made immediately available to the public in freely accessible digital repositories. The federal government should also consider providing support to cover reasonable publication fees for those authors who opt to publish their articles full open-access journals (those that are immediately freely accessible, and enable full reuse rights such as those supported by the Creative Commons Attribution (CC-BY) license).

Given the rapid growth in the number of open-access journals, and the increasing adoption of the open-access model by publishers across the journal marketplace, we note that the use of embargoes only benefits one subset of publishers that use a very specific, subscription-dependent revenue model. Open-access publishers, whose business models replace subscription fees with article processing fees, institutional subsidies, advertising, and other revenue streams, have very different revenue models, and receive no clear benefit from embargoes of any length. However, to accommodate those journal publishers who choose to continue to rely on subscription income, an author-determined embargo period that is as short as possible – preferably 6 months -- could be considered.

The discussion of the inclusion of embargoes in public-access policies often centers exclusively on their potential to protect publisher revenues. However, since one of the goals of an effective federal public-access policy is to balance the needs of all stakeholders, it is also important to consider the impact of embargoes on other stakeholders. Embargoes of any length come with a cost in terms of decreased public access and a negative impact on the degree to which an article's availability fosters further research and development.¹⁹

Some publishers have argued that public-access policies -- including the NIH Public Access Policy, which includes a lengthy 12-month embargo period – will discourage individuals and institutions to subscribe to journals, and cause them financial harm. The Alliance believes that any data provided by publishers documenting such a negative impact should be carefully considered; however, we know of no studies that directly examine this hypothesis nor any documented examples of journals whose financial viability has been significantly damaged by public-access policies.

In examining the length of embargo periods currently in use, a maximum embargo period of six months has emerged as the norm among biomedical research funders, with the NIH an outlier allowing 12 months. In other disciplines, embargoes of maximum 12 months are most prevalent

¹⁹ Houghton, Rasmussen and Sheehan, page 8. 2010

in research funder policies around the globe.²⁰ This is also consistent with the current voluntary practices of many publishers. Highwire Press, one of the premier online hosting services for scholarly journals, currently lists hundreds of journals in a variety of disciplines that make their articles freely accessible after a 12-month (or shorter) embargo period.²¹

Conclusion

The Alliance for Taxpayer Access, with its diverse membership of consumer groups, patient groups, universities, students, and library organizations, strongly supports the establishment of policies that ensure fast, free, public access to the results of research funded by our tax dollars. We believe that the NIH played an important leadership role in establishing a clear, successful blueprint for public accessibility to the results of its publicly funded research. We note that many other research funders around the world – both public and private – have established policies that share many of the characteristics of the NIH Public Access Policy, and encourage the U.S. federal government to implement an expanded version of the NIH policy to all other federal science agencies in an expeditious manner.

On behalf of the Alliance, we look forward to working with you to help ensure that the public's investment in research is maximized to the fullest extent. If you have any questions or comments, please don't hesitate to contact us.

Sincerely,



Heather Joseph
Spokesperson
Alliance for Taxpayer Access

(Attachment)

²⁰ <http://www.roarmap.org>

²¹ <http://highwire.stanford.edu/lists/freeart.dtl>



Members

Action to Cure Kidney Cancer - NY
AIDS Action Baltimore - MD
AIDS Vaccine Advocacy Coalition - NY
American Association of Law Libraries - DC
American Library Association - DC
American Medical Student Association - VA
Amherst College Library - MA
Anaheim Public Library System, Central Branch - CA
Appalachian State University Library - NC
Arthritis Foundation - DC
Asian & Pacific Islander American Health Forum - DC
Association of Academic Health Sciences Libraries - WA
Association of Cancer Online Resources - NY
Association of College & Research Libraries - IL
Association of Maternal and Child Health Programs - DC
Association of Research Libraries - DC
Association of Southeastern Research Libraries - GA
Autism Speaks (formerly National Alliance for Autism Research) - DC
Autosomal Recessive Polycystic Kidney Disease and Congenital Hepatic Fibrosis Alliance(ARPKD/CHF Alliance) - PA
Barth Syndrome Foundation - FL
Boston College Libraries - MA
Boston Library Consortium - MA
Bowdoin College Library - ME
Bowling Green State University Libraries - OH
Breast Cancer Network of Strength - IL
Carnegie Mellon University Libraries - PA
CFIDS Association of America - NC
Chemists Without Borders - CA
Chordoma Foundation - NC
Christopher Reeve Foundation - DC
Cold Spring Harbor Laboratory Library and Archives - NY
Colorectal Cancer Coalition - DC
Committee for Economic Development - DC
CUNY – City College Libraries - NY
CURE: Citizens United for Research in Epilepsy - IL
Cutaneous Lymphoma Foundation (formerly Mycosis Fungoides Foundation) - MI
Coalition for Heritable Disorders of Connective Tissue - DC
Colorado State University - CO
Conquer Fragile X Syndrome - FL
The Creutzfeldt-Jakob Disease (CJD) Foundation - OH
Cystinosis Research Network - IL
Denison University – William H. Doane Library - OH
Down Syndrome Treatment and Research Foundation - CA
Eastern Kentucky University Libraries - KY
Electronic Frontier Foundation - CA
Emory University Libraries - GA
Essential Action - DC
Facing Our Risk of Cancer Empowered (FORCE) - FL
Francis Countway Library of Medicine (Harvard Medical School) - MA
Fred Hutchinson Cancer Research Center - WA
FreePatentsOnline
Genetic Alliance - DC
Global Neuroscience Initiative Foundation - WA
GNU EPrints - UK
Grand Valley State University Libraries - MI
Greater Western Library Alliance - MO
International Mosaic Down Syndrome Association (IMDSA) - TX
International Journal of Medical Sciences - MD
IP Justice - CA
IsoDivalent 15 Exchange, Advocacy and Support (IDEAS) - OR
Kent State University Libraries - OH
Knowledge Ecology International (formerly Consumer Project on Technology - CPTech) - DC
Linda Hall Library of Science, Engineering & Technology - MO
Loyola University Chicago Libraries - IL
Medical Education Online - MI
Memorial Library, Berry College - GA
National Coalition for PKU & Allied Disorders - MA
National Fragile X Foundation - MI
National Tay-Sachs & Allied Diseases Association - MA
New England Biolabs - MA
Oberlin College - OH
Ohio Library and Information Network - OH
Parent Project Muscular Dystrophy - OH
Planetree - CT
Polio Survivors Association - CA
Prader-Willi Syndrome Association - FL
Pseudoxanthoma Elasticum (PXE) International - DC
Public Knowledge - DC
Public Library of Science - CA
Purdue University Libraries - IN
Right to Research Coalition - DC
Scholarly Publishing and Academic Resources Coalition (SPARC) - DC
South Dakota State University, Hilton M. Briggs Library - SD
Special Libraries Association - VA
Spina Bifida Association of America - DC
Students for Free Culture - FL
Swarthmore College - PA
Tourette Syndrome Association - DC
Trinity University Coates Library - TX
Tufts University Libraries - MA
Turner Syndrome Foundation, Inc. - NJ
Universities Allied for Essential Medicines - NJ
University of Colorado at Boulder Libraries - CO
University of Connecticut Libraries - CT
University of Kansas - KS
University of New Hampshire - NH
University of North Carolina - Chapel Hill, School of Information and Library Science - NC
University of Wisconsin – Madison Libraries - WI
University of Wisconsin Oshkosh – Forrest R. Polk Library - WI
Utah Academic Library Consortium - UT
Veterinary Information Network - CA
Washington State Board for Community & Technical Colleges - WA
Wayne State University College of Nursing - MI
Williams College Libraries - MA

